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5 Attorneys for Defendants  
Vista Property Development, Inc.,  
6 Blue Ridge Properties, LLC,  
and James Burke & Company  
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9 **UNITED STATES DISTRICT COURT**  
10 **EASTERN DISTRICT OF CALIFORNIA**  
(Sacramento Division)  
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13 In re:

14 JAMES D. BURKE,

Bankruptcy Case 02-26749-B-7

15 Debtor.  
16

17 \_\_\_\_\_/  
18 RICHARD HANF,

**CIV S-03-01684-FCD**

19 Plaintiff,

20 v.

**STIPULATION FOR DISMISSAL OF  
PROCEEDING WITH PREJUDICE, AND  
ORDER THEREON**

LINDA M. BURKE, ET AL.,

21 Defendants.  
22

23 \_\_\_\_\_/  
24 This action originally was filed before the bankruptcy court as Adversary Proceeding No.  
25 03-2269-B, after which its reference was withdrawn to this Court by an order entered on February  
26 2, 2004. The parties to this action having previously entered into a Settlement and Release  
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1 Agreement approved by the bankruptcy court, and all other conditions in such Settlement and  
2 Release Agreement having been met, the parties thereto further stipulate and agree that the above-  
3 captioned action shall be dismissed with prejudice and all Notices of Pending Action (lis pendens)  
4 recorded by the Plaintiff during this case as well as during its pendency before the bankruptcy  
5 court as Adversary Proceeding No. 03-2269-B, as set forth in Exhibit "A" to this Stipulation, shall  
6 be expunged.

7 **IT IS SO STIPULATED.**

8 **Stevens & O'Connell, LLP**

9  
10 Dated: June 27, 2005

By /S/ Craig C. Allison  
Craig C. Allison, Esq.  
Attorneys for Plaintiff Michael P. Dacquisto  
Chapter 7 Trustee for the Truck-A-Way Estate

11  
12  
13 **Nageley, Meredith & Miller**

14  
15 Dated: June 29, 2005

By /S/ Andrea M. Miller  
Andrea M. Miller, Esq.  
Attorneys for Defendant Maureen Bossy

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17  
18 **Linda M. Burke, in her capacity as Trustee**  
19 **of the Mackenzie M. Burke Irrevocable**  
20 **Trust, the Christine M. Burke Irrevocable**  
21 **Trust, and the James D. Burke Irrevocable**  
22 **Trust**

23 Dated: July 1, 2005

By /S/ Linda M. Burke  
Linda M. Burke, in propria persona

**Hughes & Pritchard, LLP**

Dated: July 1, 2005

By /S/ Gregory J. Hughes  
Gregory J. Hughes, Esq.  
Attorneys for Defendant Linda M. Burke  
in her individual capacity

**Nakagawa & Rico  
A Professional Association**

Dated: June 30, 2005

By /S/ Mike K. Nakagawa  
Mike K. Nakagawa, Esq.  
Attorneys for Defendants Vista Property  
Development, Blue Ridge Properties, LLC,  
and James Burke & Company

**ORDER**

The above stipulation is hereby approved and the above-captioned proceeding is  
**DISMISSED WITH PREJUDICE AND ALL NOTICES OF PENDING ACTION (Lis  
Pendens) RECORDED BY THE PLAINTIFF IN THIS PROCEEDING AND IN  
ADVERSARY PROCEEDING NO. 03-2269-B ARE EXPUNGED.**

Dated: July 12, 2005

/s/ Frank C. Damrell Jr.  
Honorable Frank C. Damrell JR.  
United States District Judge

**Exhibit "A" to Stipulation for Dismissal of Proceeding with Prejudice  
And Order Thereon**

**NOTICES OF PENDING ACTION (LIS PENDENS)**

<b>County</b>	<b>Action</b>	<b>Document No.</b>	<b>Date of Recording</b>
Solano (Ca)	Civ. S-03-1684-FCD	200400061649	5/10/2004
Riverside (Ca)	Civ. S-03-1684-FCD	2004-0360040	04/14/2004
Solano (Ca)	Adv. No. 03-2269-B	200300089893	6/03/2003
Solano (Ca)	Adv. No. 03-2269-B	200300162342	9/24/2003
Riverside (Ca)	Adv. No. 03-2269-B	2003-416701	05/09/2003
Riverside (Ca)	Adv. No. 03-2269-B	2003-548459	07/23/2003